

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>10/2/2019</u>

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TAWANNA M. ROBERTS,

Plaintiff,

-against-

CAPITAL ONE, N.A.,

Defendant.
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16 Civ. 4841 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, by letter emailed to the Chambers inbox dated September 13, 2019, Plaintiff requested permission to redact or seal portions of their exhibits submitted in connection with the Motion for Class Certification;

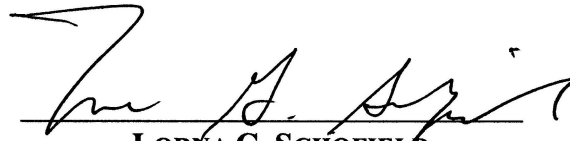
WHEREAS, the proposed redactions contain confidential information. It is hereby

ORDERED that the parties' proposed redactions are accepted. Although "[t]he common law right of public access to judicial documents is firmly rooted in our nation's history," this right is not absolute, and courts "must balance competing considerations against" the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted); *see also Nixon v. Warner Commc'ns., Inc.*, 435 U.S. 589, 599 (1978) ("[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case."). The proposed redactions are narrowly tailored to prevent the unauthorized dissemination of sensitive business and personal information. *See Hesse v. Sungard Sys. Int'l*, No. 12 Civ. 1990, 2013 WL 174403 at *2 (S.D.N.Y. Jan. 4, 2013) (sealing emails that "include sensitive client information and proprietary business information, including *inter alia*, the company's billing rates and project pricing"); *Avocent Redmond Corp. v. Raritan Americas, Inc.*, No. 10 Civ. 6100, 2012 WL

3114855, at *16 (S.D.N.Y. Jul. 31, 2012) (sealing “confidential employment information, the disclosure of which could affect future contract negotiations” and “confidential business information . . . the disclosure of which would cause competitive harm”). It is further

ORDERED that by October 4, 2019, the parties shall file redacted versions of their exhibits consistent with this Order.

Dated: October 2, 2019
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE